

BY E-MAIL

The Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007
ALCarterNYSDChambers@nysd.uscourts.gov

Re: S.E.C. v. Zhabilov, et al., Dkt. No. 1:24-cv-07362

Dear Judge Carter:

Neither Billy Ray nor myself were asked to meet and confer by the other defendants in this matter despite my reaching out to three of the other defendants last Friday and one of their counsel on Monday. Regardless, we both agree to the time frames they submitted today and will abide by any orders of the court. We have both submitted our Notice of Pro Se Appearance and Consent to E-Service with the pro se filing desk.

I realize I am on a slippery slope because in what I believe to be a faulty complaint filed by the SEC, I am not named personally but Camelot Nevada Trust is classified as not being a trust and is called a sole-proprietorship and I am the one served. If I am being sued personally, the Plaintiff should say this. If the trust is sued, then the complaint should be corrected. I address this fully in my original letter. As a Trust I cannot be pro se. I know this. If your honor will not allow me to proceed pro se in the Motion to Dismiss, I ask that I be allowed 14 days to retain counsel. My financial hands are tied by this matter and the considerable expense I have already gone to by cooperating with the Government. I have applied to CHUBB to be covered under the D&O Policy for Enzolytics, Inc. and may have to litigate that as well. I will still abide by the filing deadlines agreed to by the other defendants and the SEC without mine and Mr. Ray's input if I do have to retain counsel.

I had hoped in the interest of judicial economy that the defendants could all either submit a filing together or take the different points raised in our letters requesting leave to file Motions to Dismiss. Mine and Mr. Ray's opinions are closely aligned but I have no knowledge of the intent of the other parties. I have no reason to believe that they are willing to work with us. We will submit briefs separately. We question jurisdiction due to the previous 3(a)(10), and we both have believe there are failures to state claims for which relief can be granted.

Thank you, your Honor.

Sincerely,

Kelli D. Austin, Individually and
and as Trustee of the Legitimately
Formed Camelot Nevada Trust